

REMARKS

Claims 1-41 are all the claims pending in the application.

New claims 42 and 43 have been added to further define the scope of Applicant's claimed invention.

Claim 29 has been amended to correct a grammatical error. The amendment is not being made for patentability reasons and does not narrow the scope of the claim.

The Examiner has rejected the claims as follows:

- 1, 2, 4-10, 14, 15, 18-25 and 37 under 35 U.S.C. § 102(e) as being anticipated by Balachandran et al. (U.S. Patent No. 6,208,642);
- 26-36, 40 and 41 under 35 U.S.C. § 102(e) as being anticipated by Applicant's Admitted Prior Art (APA); and
- 3, 11-13, 16, 17, 38 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Balachandran et al.

Regarding the rejection of claims 1, 2, 4-10, 14, 15, 18-25 and 37 under 35 U.S.C. § 102(e) as being anticipated by Balachandran et al., Applicant traverses the rejections because Balachandran et al. fails to disclose or suggest all of the claim limitations. Specifically, at least the following highlighted limitations are not disclosed or suggested:

1. ... a *session management server* connected to the first device and the data source that *controls the flow of data from the data source to the first device*;

9. (original): The session management system of claim 8, wherein the at least one key is ***dedicated to control only the session management server.***

15. (original): The session management system of claim 1, wherein the session management server ***performs a data manipulation function.***

18. (original): The session management system of claim 15, wherein the session management server ***continues to receive data from the data source while the data manipulation function is being performed.***

19. ... a session management server connected to the first device and the data source that ***controls the flow of data from the data source to the first device;***

22. (original): The session management system of claim 20, wherein the control device allows the first device to ***switch from one session to another session.***

24. (original): The session management system of claim 19, wherein the session management server ***buffers data for the first device from the data source when the first device is involved in another session.***

25. (original): The session management system of claim 19, wherein the session management server ***controls the flow of data for the first device from the data source when the first device is involved in another session.***

37. ... ***manipulating the data while the session is still running and prior to all of the data being downloaded*** to the first device.

Balachandran et al. discloses a system for establishing simultaneous voice and data transmissions over a single line. The Examiner alleges that SSPA and SSPB (items 22 and 24) are examples of the claimed session management server. SSPA and SSPB are service switching points that comprise buffers 40. The Examiner alleges that subscribers A, B and C are examples of the claimed first device. However, the SSPs do not control the flow of data, they simply pass data to/from the user.

The claims must be read in the context of the specification; thus “controls the flow of data” in claims 1 and 19 means more than simply passing data through the SSP. For example, page 11, lines 1-3 state that “If only one data session is running and no data manipulation

features are being used, session management server acts as a transparent device for data flow. However, the user can activate session management server 20 at any time.” Thus examples of the claimed control include running multiple sessions and/or manipulating data.

Regarding claim 9, the cited portion of Balachandran et al. does not disclose a key dedicated to control only the session management server.

Regarding claims 15, 18 and 37, the cited portion of Balachandran et al. does not disclose a data manipulation function, such as the exemplary embodiments of zooming and fast forwarding. Likewise, Balachandran et al. does not disclose continuing to receive data while manipulating data.

Regarding claim 22, the cited portion of Balachandran et al. does not disclose switching sessions because both the data and voice communications are going on at the same time.

Regarding claims 24 and 25, the cited portion of Balachandran et al. does not disclose the highlighted portions.

Regarding claims 2, 4-8, 10, 14, 21 and 23, they should be allowable at least based on their dependence from one or more of the claims listed above.

Regarding the rejections of claims 26-36, 40 and 41 under 35 U.S.C. § 102(e) as being anticipated by Applicant’s Admitted Prior Art (APA), Applicant traverses the rejections because the APA fails to disclose or suggest all of the claim limitations. Specifically, at least the following limitations are not disclosed or suggested:

26. A method for *managing a plurality of sessions* comprising:

initiating a first session in a first device connected to a data source;
initiating a second session in the first device while the first data session is still running;
stopping the first session in the first device; and
continuing the first session in a session management server.

40. A method for managing a session comprising:
initiating a session in a first device connected to a data source;
stopping the first session in the first device; and
continuing the first session in a session management server.

The Examiner asserts that page 1, line 11 through page 2, line 22 discloses the claimed invention. Applicant respectfully disagrees. The cited portion of the specification is shown below:

Users, such as cellular phone users, are now demanding more out of their services. Users require the ability to send and receive text and data items such as business cards, post cards and pictures. Also, in the 3G cellular (3rd generation of cellular communication specifications) architecture, a new component has been added. This component is called Multimedia Messaging Service (MMS). Multimedia messaging service is the ability to send and receive messages comprising a combination of text, sounds, images and video to MMS capable handsets and computers. MMS is a component that can be connected to all possible networks, such as cellular networks, broad band networks, fixed line and Internet networks. As technology is evolving, so are the needs of its users.

MMS was developed to enhance messaging based on the users' new demands. As stated above, this allows users of cellular phones to send and receive messages exploiting the whole array of media types, while also making it possible to support new content types as they become popular. MMS is well known in the telecommunications world and is standardized (see Standards 23.140 and 23.140 of the 3 GPP-3G Partnership Project at www.3gpp.org, incorporated herein by reference for a further explanation of MMS).

With these new abilities, however, come problems. One such problem is the ability to enable multiple sessions running simultaneously. In conventional devices, the handset is typically expected to be dedicated to one session. For

example, users are unable to receive or make a voice call on the handset while the handset is in the middle of downloading data. ***If the user takes or makes a voice call, data transmission is typically stopped and has to be started again from the beginning, once the voice call is completed. This problem also exists if the user wants to enable two data sessions***, for example downloading a picture and an MP3 file. There is no control feature within the picture downloading protocol that enables switching to an MP3 session.

Recently, there have been discussions about enabling incoming circuit switched calls while a wireless application protocol (WAP) session is taking place. Also, an improved version of FTP (File Transfer Protocol) has the ability to suspend file downloading and resume the downloading later on from the point at which it was interrupted. ***However, these existing solutions do not enable multiple sessions running simultaneously, nor do the solutions include control commands integrated within the information flow.*** (page 1, line 11 to page 2, line 24)(emphasis added).

Claim 26 specifically addresses one of the problems of the existing solutions, i.e., enabling multiple sessions running simultaneously and integrating control commands within the data flow. Claim 26 is a method for managing a plurality of sessions that allows a first session to continue in a session management server while a second session is running in a first device. However, the FTP mentioned in the specification does not disclose or suggest ***continuing*** the session (or download) in a session management server. It ***stops*** the download, and then starts it at a later time.

Likewise, claim 40 requires that the first session continue in a session management server after being stopped in the first device.

Regarding claims 27-36 and 40 they should be allowable at least based on their dependence from claims 26 or 40 for at least the same reasons.

Regarding the rejections of claims 3, 11-13, 16, 17, 38 and 39 under 35 U.S.C. § 103(a) as being unpatentable over Balachandran et al., Applicant traverses these rejections because in addition to being allowable based on their dependence from the claims listed above, the Examiner has not cited to any reference(s) that disclose or suggest all of the claim limitations. The Examiner concedes that Balachandran et al. is deficient, but then states that she “believes” the limitations would not render the claim patentable because they merely depend on the type of system and functions one would like to use to enhance Balachandran et al. However, a mere “belief” does not provide the grounds to render a claim anticipated or obvious. Applicant respectfully requests that the Examiner identify specific prior art that contains all of the claim limitations and suggestions or motivations which would have led one skilled in the art to combine the references to arrive at the claimed invention – or allow the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
USSN: 09/916,325

Q64356

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: December 27, 2004